



**CITY OF AKRON, OHIO**  
**POLICE DIVISION**  
**JAMES D. NICE, CHIEF OF POLICE**

<b>NUMBER</b> P-2017-017	<b>EFFECTIVE DATE</b> May 1, 2017	<b>RESCINDS</b> P-10-017 Issued 10-13-10
<b>SUBJECT</b> Vehicle Pursuit Procedure		<b>ISSUING AUTHORITY</b> Chief James D. Nice

## **I. POLICY**

The department understands and accepts the need for vehicle pursuits in the performance of police work. While the decision to pursue rests with the officer, it is the department's responsibility to assist officers in the safe performance of their duties by providing necessary guidelines to aid in balancing the necessity of the pursuit against the risks involved. Ultimately the decision to initiate a pursuit must be based on an officer's conclusion that the immediate danger to the officer and the public created by the pursuit is less than the immediate or potential danger if the suspect remains at large.

## **II. DEFINITIONS**

- A. Vehicle pursuit – An active attempt by an officer in an authorized emergency vehicle to apprehend a fleeing suspect who is actively attempting to elude the police.
- B. Authorized emergency vehicle – A vehicle of this agency equipped with operable overhead lights and siren.
- C. Primary unit – The police unit immediately following the suspect vehicle and that assumes primary control of the pursuit.
- D. Secondary unit – Any police unit that becomes involved as a back-up to the primary unit.
- E. Trailing – Following of a pursuit at any distance, to include paralleling, intercepting, or tracking.
- F. Caravanning – Direct participation in, or the following of a pursuit by emergency vehicles other than the primary and authorized secondary units.
- G. Terminate – To abandon or abort the pursuit. The point of termination is determined where the chase is aborted or abandoned, not where it ends.

## **III. PROCEDURE**

### **A. PURSUIT DECISION**

- 1. Initiating a pursuit must be based on the pursuing officer's reasonable belief that the immediate danger to the officer and the public created by the pursuit is less than the immediate or potential danger to the public should the suspect remain at large.

2. Factors officers shall consider include, but are not limited to:

- a. Nature and seriousness of the original offense.
- b. Road configuration, traffic, and weather conditions.
- c. Time and location.
- d. Police vehicle condition and type.
- e. The presence of other persons in the suspect vehicle.
- f. The performance capabilities of both the police and suspect vehicles.
- g. Whether the identity of the driver is known.
- h. Physical location and population density.
- i. Lighting and visibility.
- j. Speed and evasive tactics employed by the suspect.
- k. Any other condition or situation that would create an unreasonable risk.

3. Once the decision has been made to engage in a pursuit, these factors shall continue to be given careful consideration in determining the maximum safe speed at which officers vehicles may travel throughout the pursuit and whether to continue with the pursuit.

B. PURSUIT OPERATIONS

1. Activate both emergency lights and siren when engaged in a vehicle pursuit and continuously use both throughout the entire pursuit. Officers are reminded that the warning effect of the siren decreases rapidly as the speed of the vehicle increases.
2. Officers should activate any video recording device if equipped.
3. Immediately notify the dispatcher once a pursuit is initiated. The transmitting officer shall convey the following information as it becomes available:
  - a. Police vehicle number.
  - b. Location.
  - c. Direction of travel
  - d. Known reasons for pursuit.
  - e. Description of vehicle, number of occupants, license plate number, etc.

- f. Estimated rate of speed.
  - g. Traffic conditions.
  - h. If they are violating traffic laws.
  - i. If they have caused any near accidents.
- 4. With the exception of emergency traffic, radio transmissions not concerning the pursuit shall cease until the channel is clear.
  - 5. When engaged in a pursuit, officers shall operate with due regard for the safety of others.
  - 6. Pursuing in a direction against the lawful flow of traffic on a one-way street or lane of a divided highway creates a significant risk to both the officer and the public. Officers should be aware of the dangers of this and carefully weigh the necessity before following a suspect vehicle in the wrong direction.
  - 7. Officers in the primary and secondary units shall share responsibility for compliance with this policy. This includes passenger officers.

#### C. SECONDARY UNITS

- 1. Unless circumstances dictate otherwise, a pursuit shall consist of no more than two police vehicles: a primary and a secondary unit.
  - a. Caravanning and trailing is prohibited; however, officers should monitor the progress of the pursuit and be prepared to assist if needed or directed by a supervisor. Officers should be aware of the danger that multiple units responding simultaneously can present.
  - b. The number of vehicles involved in a pursuit may be adjusted to fit the situation with supervisory approval.
- 2. When available, the secondary unit shall immediately notify Safety Communications that they are joining the pursuit and should consider assuming responsibility for relaying information to communications.

#### D. SAFETY COMMUNICATIONS RESPONSIBILITIES

- 1. Ensure that a field supervisor is monitoring the pursuit.
- 2. Broadcast on all dispatch channels that a vehicle pursuit is taking place.
- 3. Repeat all pertinent information relayed by the transmitting officer.
- 4. Refrain from dispatching non-emergency calls. If another call requires immediate attention, the dispatcher will have the appropriate unit go to another channel to receive the information.
- 5. Notify bordering jurisdictions if it appears the pursuit is approaching their city.

6. When a pursuit enters the city from another jurisdiction, verify that our assistance is needed, ask the reason for the pursuit, and broadcast this information.

#### E. FIELD SUPERVISOR'S RESPONSIBILITIES

1. Supervisors are responsible for managing all vehicular pursuits to include determining whether the pursuit should continue or be terminated.
2. Monitor incident and information. Coordinate and direct activities as needed.
3. When possible, a supervisor will respond to the location where the vehicle has been stopped.
4. Review the pursuit with the officers involved and complete a written critique determining if the involved officers complied with departmental procedures and whether any training needs have been identified. This review should include any audio or video recordings of the pursuit.

#### F. POLICE VEHICLES AUTHORIZED TO ENTER INTO A VEHICULAR PURSUIT<sup>1</sup>

1. Only marked vehicles equipped with operable emergency lights and siren will be used.
2. Officers operating marked trucks, vans, wagons, motorcycles, and/or Ford Expeditions that are equipped with operable emergency lights and siren may initiate a pursuit. However, officers operating these types of vehicles will discontinue the pursuit when a marked patrol vehicle enters the pursuit, unless otherwise directed by a supervisor.
3. If an officer in an unmarked vehicle has probable cause to believe that a criminal offense has taken place and that it warrants immediate police action, they may attempt to follow the vehicle until a marked police vehicle equipped with operable emergency lights and siren arrives.
4. Vehicles that have non-police passengers will not become involved in vehicle pursuits. This restriction does not apply to vehicles with authorized civilian observers. A vehicle with a civilian observer may initiate a pursuit, but will discontinue the pursuit when another marked car enters the pursuit unless otherwise directed by a supervisor.

#### G. PROHIBITED ACTIONS

1. Roadblocks used for the purpose of terminating a pursuit are prohibited.
2. No deliberate contact shall be made between any police vehicle and the vehicle of a suspect during a pursuit situation, unless contact is necessary to prevent serious injury or death.<sup>2</sup>
3. Discharging a firearm at a motor vehicle solely to disable it is prohibited.

#### H. PURSUITS WHICH LEAVE THE CITY OF AKRON

1. The assigned field supervisor or a Uniform Subdivision commander will determine if it is necessary to leave this jurisdiction.

2. When pursuits leave the city of Akron, consideration should be given, but not limited to, the following:
  - a. Nature of offense.
  - b. Familiarity of the area.
  - c. Limitation of radio communications.
  - d. Availability of back up units.

#### I. PURSUITS INITIATED BY OUTSIDE AGENCIES

1. Upon request for assistance from a neighboring jurisdiction, officers may become involved in a pursuit initiated by an outside agency, unless otherwise directed. Mere notification of the existence of a pursuit shall not be construed as a request for participation. The Safety Communications Center shall clarify whether this agency is being requested to assist in the pursuit, and officers that become involved should make every effort to confirm that their assistance is needed.
2. Prior to acceptance of a pursuit from another agency, the responsible supervisor shall determine the reason for the pursuit, the degree of this agency's involvement, if any, and provide the appropriate direction.
3. Involved officers shall abide by the guidelines of this procedure.

#### J. TERMINATION

1. The primary unit and assigned supervisor shall continuously reevaluate and assess the pursuit situation, including all of the initiating factors and terminate the pursuit whenever it is reasonable to believe that the immediate danger to the officer and the public created by the continued pursuit is greater than the immediate or potential danger should the suspect remain at large.
2. A pursuit may be terminated by any of the following:
  - a. Personnel in the primary vehicle.
  - b. The assigned field supervisor.
  - c. Any commanding officer.
  - d. Personnel in the secondary vehicle.
3. Factors to consider:
  - a. Seriousness of the crime.
  - b. Length of the pursuit.
  - c. Possibility of identifying the suspect.

- d. Speed.
  - e. Violating traffic laws.
4. A pursuit should be terminated if the suspect's identity has been determined, immediate apprehension is not necessary to protect the public or officers, and apprehension at a later time is feasible.
  5. The pursuit should be terminated if the pursued vehicle's location is no longer definitively known.
  6. If a pursuit has been terminated, the primary and any secondary vehicles (when safe to do so) shall turn off their emergency equipment, pull over, turn around, or travel away from the fleeing suspect. They shall inform Safety Communications of this fact along with their location.

#### K. POST-PURSUIT PROCEDURES

1. Whenever an officer engages in a pursuit, he or she shall complete and submit a pursuit report to their supervisor for review.
2. Any pursuit that results in a fatality, personal injury, or serious property damage, shall be investigated by personnel who were not directly involved in the pursuit.
3. The department shall analyze police pursuit activity at least annually and identify any additions, deletions, or modifications warranted in departmental pursuit procedures. This analysis shall consider the following implications on the organization:
  - a. Policy
  - b. Equipment
  - c. Training
  - d. Philosophical approach
  - e. Interjurisdictional issues


#### L. TRAINING

Officers who drive police vehicles shall be given initial and periodic training in the agency's pursuit policy.

#### M. SUMMARY

This procedure is not intended to be used as a standard of care in a negligence lawsuit, but rather it is intended to be used as a set of guidelines to be followed during vehicle pursuits in order to minimize the danger and risks to life, health, and property.

By Order Of,



James D. Nice  
Chief of Police

Date May 1, 2017

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<sup>1</sup> Ohio Revised Code Section 4511.01(D)

<sup>2</sup> Scott v. Harris, 550 U.S. 372 (2007)